

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION

LEESA BUNCH, ET AL.

APPELLANTS

v.

No. 2:04CV00188 GH

HOFFINGER INDUSTRIES, INC.

APPELLEE

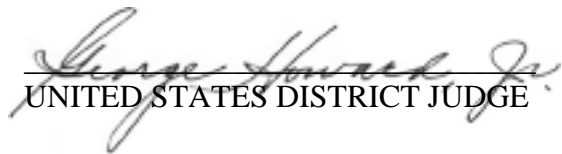
ORDER

Pending before the Court is appellants January 10th motion to dismiss cross appeal and strike brief of appellee/cross-appellant for failure to comply with the Local Rules of the United States Bankruptcy Appellate Panel for the Eighth Circuit – specifically Local Rule 8018A(b) which provides that principal briefs shall not exceed 6500 words.

On March 21st, appellee/cross-appellant responded that the BAP Rules do not apply to this appeal taken to the District Court so that Local Rule 83.1 is instead applicable so that the principal brief of 42 pages complies with the 50 page limit established by Fed. R. Bankr. P. 8010(c).

The Court agrees with appellee/cross-appellant that the BAP Rules are not applicable. Accordingly, appellants' January 10th motion (#14) to dismiss cross appeal and strike brief of appellee/cross-appellant is hereby denied.

IT IS SO ORDERED this 26th day of September, 2005.


UNITED STATES DISTRICT JUDGE